IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8498 of 1996

For Approval and Signature:

HON'BLE MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

1 to 5 NO

GUJARA STATE ROAD TRANSPORT CORPORATION

Versus

PANNALAL G PATEL

Appearance:

1. Special Civil Application No. 8498 of 1996

MR YOGESH S LAKHANI for Petitioner No. 1

MR MUKESH H RATHOD for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE D.H.WAGHELA

Date of decision: 22/12/2004

ORAL JUDGEMENT

By this petition, styled as a petition under Articles 226 and 227 of the Constitution, in reality, the

petitioner has invoked the supervisory jurisdiction of this Court to challenge the award and order of the Labour Court by which the respondent is awarded reinstatement without backwages. The respondent appears to have been dismissed on the ground of absence without leave and the Labour Court has, in exercise of its jurisdiction and after appreciating the circumstance of sickness, granted the relief of reinstatement without backwages. No reason is made out to interfere with the impugned award in exercise of the extraordinary jurisdiction of this Court. The respondent is stated to have already been reinstated in service way back in March, 1996. The petition is, therefore, rejected and Rule is discharged with no order as to costs.

Sd/-

(D.H.Waghela,J.)

(KMG Thilake)